

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/249,660 02/12/99 NAKAO

Y 51270-245595

WM01/1207

EXAMINER

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PSITOS, A

ART UNIT PAPER NUMBER

2651

DATE MAILED:

12/07/00

*4*

Please find below and/or attached an Office communication concerning this application or proceeding.

**Commissioner of Patents and Trademarks**

<b>Office Action Summary</b>	Application No. <b>09/249,660</b>	Applicant(s) <b>Nakajo</b>
	Examiner <b>Psitos</b>	Group Art Unit <b>2651</b>



Responsive to communication(s) filed on Feb 12, 1999.

- This action is FINAL.
- Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire one month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

#### Disposition of Claims

- Claim(s) 1-12 is/are pending in the application.
- Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- Claim(s) \_\_\_\_\_ is/are allowed.
- Claim(s) \_\_\_\_\_ is/are rejected.
- Claim(s) \_\_\_\_\_ is/are objected to.
- Claims 1-12 are subject to restriction or election requirement.

#### Application Papers

- See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.
- The specification is objected to by the Examiner.
- The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. § 119

- Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- All  Some\*  None of the CERTIFIED copies of the priority documents have been
- received.
- received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
- received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \*Certified copies not received: \_\_\_\_\_
- Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

#### Attachment(s)

- Notice of References Cited, PTO-892
- Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- Interview Summary, PTO-413
- Notice of Draftsperson's Patent Drawing Review, PTO-948
- Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## DETAILED ACTION

### *Election/Restrictions*

1. This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

- a) the species of pages 20-30
- b) the species of pages 30-32
- c) the species of pages 32-37
- d) the species of pages 38-39
- e) the species of pages 39-40

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

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2. The claims are deemed to correspond to the species listed above in the following manner:

- a) claims 1-3
- b) claims 5-8
- c) claims 9-11
- d) claim 12

The following claim(s) are generic: None.

3. The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons:

I) species a lack any of:

- a) the tracking signal error correction capability (servo control) with the appropriate sample and hold technique and selection of error signal values of the second species and how it impacts upon the servo control;
- b) the wobble track capability and the focus and power calibration requirements and how it impacts upon the servo as defined in the third species;
- c) the wobble track detection capability and display thereof with the particular control knob arrangement of the fourth species;
- d) the wobble track detection and display thereof with the singular know control element of the fifth species.

II) species b lack any of :

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- a) the selection of the error signal (tracking error) predicated on sampling periods and the S&H capability of the first species;
- b) the wobble track capability and the focus and power calibration requirements and how it impacts upon the servo as defined in the third species;
- c) the wobble track detection capability and the display thereof with the particular control know arrangement of the fourth species;
- d) the wobble track detection and display thereof with the singular know control element of the fifth species.

III) species c lack any of:

- a) the selection of the error signal (tracking error) predicated on sampling periods and the S&H capability of the first species;
- b) the tracking signal error correction capability (servo control) with the appropriate sample and hold technique and selection of error signal values of the second species and how it impacts upon the servo control;
- c) detection capability and the display thereof the wobble track with the particular control know arrangement of the fourth species;
- d) the wobble track detection and display thereof with the singular know control element of the fifth species.

IV) species d lack any of:

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- a) the selection of the error signal (tracking error) predicated on sampling periods and the S&H capability of the first species;
- b) the tracking signal error correction capability (servo control) with the appropriate sample and hold technique and selection of error signal values of the second species and how it impacts upon the servo control;
- c) the wobble track capability and the focus and power calibration requirements and how it impacts upon the servo as defined in the third species;
- d) the wobble track detection and display thereof with the singular know control element of the fifth.

V) specie e lack any of:

- a) the selection of the error signal (tracking error) predicated on sampling periods and the S&H capability of the first species;
- b) the tracking signal error correction capability (servo control) with the appropriate sample and hold technique and selection of error signal values of the second species and how it impacts upon the servo control;
- c) the wobble track capability and the focus and power calibration requirements and how it impacts upon the servo as defined in the third species;

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d) detection capability and the display thereof the wobble track with the particular control know arrangement of the fourth species;

Due to the nature of the above species requirement and complexity thereof, no telephone call was made to applicant to request an oral election to the above restriction/species requirement.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

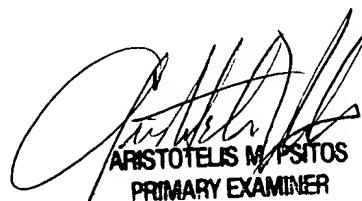
Applicant's representative could telephone the examiner and identify an elected species for examination when such is determined by applicant. A written response must still be transmitted to the PTO.

Applicant is given One month (or thirty days which ever is longer) to respond to the above requirement.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aristotelis M. Psitos whose telephone number is (703) 308-1598.

amp

December 6, 2000



ARISTOTELIS M. PSITOS  
PRIMARY EXAMINER  
2651